REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-4, 6-10, 12-16, 18-22, and 24-51 remain pending in the application, with claim 52 being new. New claim 52 depends from claim 1 and further details the relationship between the "alert" sent from the originator to the GCS and the "alert" transmitted from the GCS to the target.

35 U.S.C. § 103 Rejections

Claims 1-4, 6-10, 12-16, 18-22, 24-44, 46, and 48-50 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hall et al. (U.S. Patent No. 6,032,051) in view of Eaton et al. (U.S. Patent Publication No. 2003/0208545), Zmolek et al. (U.S. Patent Publication No. 2003/0154293), and Keating et al. (U.S. Patent Publication No. 2004/0082352). Claim 45 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Eaton, Zmolek, and Keating, and in further view of U.S. Patent Publication No. 2003/0037103 to Salmi et al. (hereinafter "Salmi"). Claim 47 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Eaton, Zmolek, and Keating, and in further view of U.S. Patent Publication No. 2004/0267887 to Berger et al. (hereinafter "Berger"). Claim 51 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Eaton, Zmolek, and Keating, and in further view of U.S. Patent No. 6,760,589 to Hobbis et al. (hereinafter "Hobbis"). Applicants respectfully traverse these rejections, as detailed below.

The present Office Action introduces a new reference, Zmolek, as teaching the claimed feature of "transmitting an alert from the GCS to the target," as recited in claim 1, for example. The Examiner has cited paragraph [0053], lines 1-7, paragraph [0055], lines 1-7, and paragraph [0078], lines 1-11 of Zmolek in support of this position.

The cited sections explain the operation of the "context sensing agent 150" illustrated in FIG. 1, which is used "to provide agent reports containing predetermined types of raw location and availability information to the second presence server at selected time intervals and/or upon the occurrence of a predetermined event." (Cited paragraph [0053].) These predetermined events include "receiving a command or request from the user such as a request to initiate a contact, a request to activate or deactivate the tracked identity, a request to terminate a contact (such as a call), a request for an agent report from a presence server, a user request to manipulate presence

data, a time out, and the like." (Cited paragraph [0078].) The presence servers (also illustrated in FIG. 1 as 104 and 132) collect published presence information about a communication device and "provide the collected information to other network entities (which may include other presence servers) in response to queries." (Cited paragraph [0055].)

It is not entirely clear how these operations are relevant to transmitting an alert from a group communication server (GCS) to a target about which presence information is requested. Like the presence list server in the previously cited and withdrawn Leppanen reference (US 2005/0262198), the context sensing agent 150 are simply described as providing agent reports to various presence servers 104, 132, not to a target user. Likewise, the presence servers 104, 132 are described as providing their collected information to other network entities such as other presence servers, not to a target user. Moreover, even if the presence servers 104, 132 were interpreted as providing the collected information to users directly, this is described as being merely "in response to queries" from the requesting users themselves. There are no teachings or suggestions in Zmolek about providing the collected information to a target user **about which** the presence information is requested.

Accordingly, Zmolek, like Leppanen before it, does not teach "transmitting an alert from the GCS to the target [about which presence information is requested]" as claimed. Thus, Zmolek fails to teach or suggest the features relied upon with respect to the rejection of independent claim 1. The remaining references Hall, Eaton, and Keating fail to cure this deficiency of Zmolek, and independent claim 1 is allowable over the combination of Hall, Eaton, Zmolek, and Keating.

The remaining independent claims 7, 13, 19, 25, 30, 35, and 40 recite related subject matter to independent claim 1 discussed above. Therefore, for at least the foregoing reasons, it is respectfully submitted that claims 1, 7, 13, 19, 25, 30, 35, and 40 are distinguishable over the applied art. The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. Moreover, these claims recite additional subject matter, which is not believed to be suggested by the documents taken either alone or in combination. (See, e.g., the discussion of new claim 52 above.)

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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